

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA,	:	Case No. 3:08-cr-175
		Also 3:11-cv-299
Petitioner,	:	
- vs -	:	District Judge Thomas M. Rose
	:	Magistrate Judge Michael R. Merz
JEREMY E. LEWIS	:	
	:	
Defendant.	:	

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**ORDER ADOPTING REPORT AND RECOMMENDATIONS**

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The Court has reviewed the Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #212), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Defendant Lewis's Motion to Reopen Time to File an Appeal (Doc. No. 210) is DENIED. Since this Court has already determined that any appeal would be objectively frivolous, Defendant is also DENIED any requested certificate of appealability.

October 6, 2014

\*/Thomas M. Rose

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Thomas M. Rose  
United States District Judge